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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,123	02/19/2004	Frank John Marszalkowski JR.	M2010-7129	1227

7590 06/24/2005

LOWRIE, LANDO & ANASTASI, LLP  
RIVERFRONT OFFICE PARK  
ONE MAIN STREET, 11TH FLOOR  
CAMBRIDGE, MA 02142

EXAMINER

NGUYEN, ANTHONY H

ART UNIT PAPER NUMBER

2854

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8-A

<b>Office Action Summary</b>	<b>Application No.</b> 10/783,123	<b>Applicant(s)</b> MARSZALKOWSKI, FRANK JOHN	
	<b>Examiner</b> Anthony H. Nguyen	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 4-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>06/01/2005</u>  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on June 1, 2005 has been entered.

### ***Claim Objections***

Claim 15 is objected to there is no proper antecedent basis for "the circuit board" (line 6).

### ***Claim Rejections - 35 U.S.C. § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7-11 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Peckham et al. (US 2002/0148374).

With respect to claim 1, Peckham et al. teaches an apparatus 200 for forming a pattern on a substrate 230 having a frame 202, a dispenser 208 which dispenses a material onto the substrate 230 through a stencil 206 and a controller 204 which controls dispensing of the material on the substrate and a fixed wiper 300 for removing material from the stencil as the stencil is moved away from the substrate. See Peckham et al. (paragraph [0025]). With respect to claim 11, Peckham et al. teaches the broad steps of transporting the substrate into a position for printing, aligning the substrate, depositing the material through the stencil and onto the substrate and translating the stencil over a fixed wiper for removing residual material from the surface to the stencil (Peckham et al., paragraphs [0024] and [0025]).

### ***Claim Rejections - 35 U.S.C. § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4,5, 12, 13 and 15 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Peckham et al. (US 2002/0148374) in view of Nishikawa et al. (US 2002/0148374).

With respect to claims 4 and 12, Peckham et al. teaches all that is claimed, except the inspecting probe coupled to the second gantry system for inspecting a surface of the substrate. Nishikawa et al. teaches an apparatus for forming a pattern

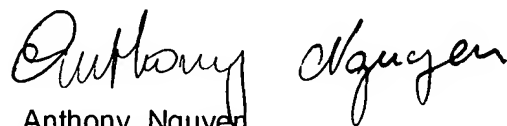
on a substrate having a recognition camera or inspecting probe 3 (Nishikawa et al., Fig. 8, paragraph [0043]) for inspecting the surface of a circuit board. In view of the teaching of Nishikawa et al., it would have been obvious to one of ordinary skill in the art to modify the apparatus of Peckham et al. by providing the inspecting probe as taught by Nishikawa et al. for optimizing the print quality on the surface of a substrate. With respect to claim 5, the use of an inspecting probe which is movable is well known in the art and involves no apparent unobviousness. With respect to claim 15, Nishikawa et al. teaches the steps of inserting a inspecting system which includes the inspecting probe between the stencil and the electronic substrate and inspecting the electronic substrate (Nishikawa et al., paragraph [0043]).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168.

The fax phone number for this Group is (703) 872-9306.



Anthony Nguyen  
6/22/055  
Patent Examiner  
Technology Center 2800